



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes CITY COUNCIL AGENDA WORK SESSION

R. Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, Ward 3
G. A. (Andy) Morris, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, November 12, 2012

3:00 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris,
Rev. Anthony Coleman, Jim King and Philip M. Goldstein

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor Pro tem Grif Chalfant called the meeting to order at 3:02 p.m.

MINUTES:

20121090

Regular Meeting - October 8, 2012

Review and approval of the October 8, 2012 regular meeting minutes.

Motion to approve with an amendment on page 4, agenda item 20120987 related to the Redistricting Map should show a vote of 6 - 1 - 0, with Council member King voting against.

A motion was made by Council member King, seconded by Council member Sinclair, that this matter be Approved. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved as Amended

BUSINESS:

20121116

BLW Report

Council Member Jim King gives the Board of Lights and Water (BLW) report for the meeting held on Monday, November 12, 2012.

Council member King reported on the actions of the Board of Lights and Water at their November 12, 2012 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the November 12, 2012 regular Board of Lights and Water meeting minutes for details.)

Reported

Mayor Tumlin arrived and presided over the remainder of the meeting.

20121124

774 Roswell Street - Roswell Street Baptist Church
777/779 Roswell Street - Roswell Street Baptist Church
817 Roswell Street - Roswell Street Baptist Church
848 Roswell Street - Roswell Street Baptist Church
900 Roswell Street - Roswell Street Baptist Church

Motion to authorize the acquisition of property owned by Roswell Street Baptist Church on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference.

The motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 7 - 0 – 0

Recommended for Council Agenda Non Consent

20121125

Motion directing the City Attorney, City Manager and Director of Public Works to conduct discussions and mediations between the City of Marietta and the Roswell Street Baptist Church in order to seek a settlement between the parties which will allow the city to purchase the necessary property from the church in order to complete a project known as Roswell Street Improvements - Victory Drive to Cobb Parkway.

A motion was made by Council member King, seconded by Council member Goldstein, to move this matter forward directing the City Attorney, City Manager and Director of Public Works to conduct discussions and mediations between the City of Marietta and the Roswell Street Baptist Church in order to seek a settlement between the parties which will allow the city to purchase and exchange the necessary property from the church in order to complete a project known as Roswell Street Improvements - Victory Drive to Cobb Parkway.

The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Council Agenda Non Consent

20121040

Speed Hump Policy

Review of the city Speed Hump Policy requested by Councilperson Sinclair.

Motion to approve revised Speed Hump Policy.

The motion was made by Council member Sinclair, seconded by Council member King, that this matter be added to the Consent Agenda. The motion carried by the following vote:

Vote: 5 - 0 - 0

Recommended for Approval - Consent Agenda

Absent for the vote: Anthony Coleman and Philip M. Goldstein

20120913

Request to acquire unimproved right-of-way

Review of bids regarding the closure, abandonment, zoning and sale of unimproved right of way between 320 and 340 Lockheed Avenue.

Motion to move this matter forward, with an additional item added to read, "Motion authorizing the closing of a portion of un-named right-of-way between 320 and 340 Lockheed Avenue with the City of Marietta." See agenda item 20121139.

Note that agenda item 20121056 already appears on the Council agenda for the rezoning. Agenda item 20120913 already appears on the agenda and should only reference the sale of the property. The new item 20121139 is related to the closing of the street.

The motion was made by Council member Goldstein, seconded by Council member King, that this matter be added to the Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20121119

Executive Session

Executive Session to discuss legal, personnel and/or real estate matters.

A motion was made in open session by Council member Lewis, seconded by Council member Chalfant, to enter an Executive Session to discuss real estate matters. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

Absent for the vote: Johnny Sinclair and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member Lewis, to exit the Executive Session. The motion carried by the following vote:

Vote: 6 - 0 - 0 Approved
Absent for the vote: Johnny Sinclair

A motion was made by Council member King, seconded by Council member Lewis, to add an item to the Council agenda authorizing condemnation of property located at 310-324 Roselane Street, owned by Philip Murray, et al. by means of eminent domain for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section. The motion carried by the following vote:

Vote: 7 - 0 - 0 Recommended for Approval - Consent Agenda

A motion was made by Council member King, seconded by Council member Goldstein, to add an item to the Council agenda authorizing the condemnation of property located at 1982 Delk Industrial Blvd, owned by Franklin Forest Investors, LLC, by means of eminent domain for the Delk Industrial Boulevard Storm Drainage Improvement Project. The motion carried by the following vote:

Vote: 7 - 0 - 0 Recommended for Approval - Consent Agenda

A motion was made by Council member King, seconded by Council member Goldstein, to add an item to the Council agenda authorizing acquisition of property located at 141 Lacy Street, owned by Roselane Professional Group, LLC for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section in exchange for \$46,900.00. The motion carried by the following vote:

Vote: 7 - 0 - 0 Recommended for Approval - Consent Agenda

A motion was made by Council member King, seconded by Council member Goldstein, to add an item to the Council agenda authorizing acquisition of property located at 1990 Delk Industrial Blvd, owned by Colbalt Industries REIT, by donation for the purpose of constructing the Delk Industrial Boulevard Storm Drainage Improvement Project. The motion carried by the following vote:

Vote: 7 - 0 - 0 Recommended for Approval - Consent Agenda

20121118

Draft City Council Agenda

Review and approval of the November 14, 2012, City Council Agenda.

Discussion was held and the following changes were made:

-under Council Appointments: An item was added to the consent agenda for the appointment of Sam Storey, Jr., to the Planning Commission (Ward 3).

-under Finance/Investment: Agenda item 20121053 was added to the consent agenda.

-under Minutes: Agenda item 20121091 was added to the consent agenda.

under Ordinances: Agenda items 20120994, 20121056 20110790 and 20120908 were added to the consent agenda.

-under Parks and Rec: Agenda item 20121073 was added to the consent agenda. Agenda item 20121128 was added to the consent agenda and moved from Other Business to Parks and Rec.

-under Other Business: A disclosure was added to agenda item 20121128 that reads, "Council member Morris disclosed that Nancy Dorsey, the real estate agent related to this matter, is his sister."

-under Other Business: Agenda item 20121031 was amended to state that the variances be granted to the tenant.

-under Other Business: Agenda item 20120902 was removed from the agenda.

-under Other Business: Agenda item 20121092 was added to the consent agenda.

Discussed

ADJOURNMENT:

The meeting was adjourned at 6:07 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____